

MINUTES

City of Carrollton

Mayor and Council Meeting

Monday, December 6, 2004
6:00 p.m.

**Public Safety Complex
Court/Council Chambers
115 West Center Street, Carrollton, Georgia**

I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, December 6, 2004 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:10 p.m. Members present: Mayor Wayne Garner, Councilmember Peter Balega, Councilmember Gerald Byrd, Councilmember Rusty Gray, and Councilmember Mandy Maierhofer. Members absent: none.

II. INVOCATION

Councilmember Byrd offered the invocation

III. MINUTES November 1, 2004

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to approve the minutes of the meeting of November 1, 2004. Motion passed 5-0.

IV. ITEMS OF DISCUSSION

1. Historical Society Presentation

Ms. Gwyn Chesnut presented to the Mayor and Council a quilt designed by Ms. Violette Denney depicting Carrollton in the early 1800's in recognition of Carrollton's 175th Anniversary. Ms. Chesnut thanked the City and Councilmember Mandy Maierhofer, Chairman of the 175th Anniversary, for honoring Carrollton throughout the year with various events; including the Ghost Walk and the recent parade. Mayor Garner also expressed his appreciation to Chairman Maierhofer, Gwyn Chesnut and all others involved in making the 175th events a success.

2. Proclamation of Recognition

(Carrollton Parks, Recreation & Cultural Arts Department)

Councilmember Rusty Gray presented a proclamation of recognition to CPRCAD Director Wayne Gay, Assistant Director Deloris Covell, and Commission Chairman Anne Fletcher in recognition of the Department being awarded Accreditation of Parks and Recreation Agencies with National Accreditation through the National Parks and Recreation Association. Councilmember Gray advised those in attendance that the Carrollton Parks, Recreation, and Cultural Arts Department is the fourth in the State of Georgia and the 54th department in the nation to receive the award. CPRCAD Commission Chairman Anne Fletcher spoke on behalf of the Department and expressed appreciation to Councilmember Gray being in attendance at the ceremony and for the City's support of the department. Director Wayne Gay and Assistant Director Deloris Covell thanked the Mayor and Council for their support.

3. Annexation/Rezoning Request - Property located off Beulah Church Rd.

Petitioner: Dean Hembree Properties

Community Development Director Tracy Dunnavant presented to the Mayor and Council for their consideration an annexation and rezoning request for property located off Beulah Church Road. Director Dunnavant advised the Mayor and Council that the petitioner is requesting annexation of 1.54 acres with an R-3 High Density Residential zoning designation to develop an additional 24 units as part of the apartment complex currently

developed on the neighboring parcel. Director Dunnivant noted that in addition, Dean Hembree Properties, LLC would like to rezone a 1.28 acre strip to serve as a buffer between the apartment property and the existing industrial park. Director Dunnivant advised that the Planning Commission has reviewed the application in terms of the standards for rezoning and recommends both the annexation and the rezoning with the stipulation that the approval be based upon the submitted design. Petitioner Dean Hembree appeared before the Mayor and Council to answer any questions regarding the proposed annexation and rezoning request.

Motion by Councilmember Gray, seconded by Councilmember Byrd to approve annexation/rezoning request. Motion passed 5-0.

4. Rezoning Request – Property located at 311 College Street

Petitioner: Joseph L. Chambers

Community Development Director Tracy Dunnivant presented to the Mayor and Council for their consideration a rezoning request by petitioner Joseph L. Chambers, Sr. for property located at 311 College Street. Director Dunnivant advised the Mayor and Council that the petitioner is asking for the rezoning of 0.35 acres from R-2 (Medium Density Residential) to OI (Office and Institutional) zoning designation to convert the existing residence into offices providing professional services. Director Dunnivant advised the Mayor and Council that the Planning Commission has reviewed the application in terms of the standards for rezoning and recommends approval of the request. Mr. Joseph L. Chambers, Sr. , petitioner, appeared before the Mayor and Council to answer any questions regarding the proposed rezoning request.

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to approve rezoning request. Motion passed 5-0.

5. Rezoning Request – Property located at 605 Almon Road

Petitioner: Peggy Costley

Mayor Garner advised those in attendance that the Costley rezoning request had been withdrawn and no action was necessary at the meeting.

6. Proposed Personnel Policy Amendment (Vacation/Sick Leave)

City Manager Casey Coleman presented to the Mayor and Council for their consideration an amendment to the City's personnel policy regarding vacation/sick leave. City Manager Coleman advised the Mayor and Council that the City currently provides paid vacation leave to employees based on the employee's length of service with the City and that vacation leave cannot accrue from year to year, with the exception of a maximum of 40 hours. City Manager Coleman noted that while most employees exhaust their vacation by December 31, there are only a few employees that lose their annual allotted vacation time because they chose not to take the time off for various reasons.

City Manager Coleman advised that considering all the factors mentioned, he is requesting the Mayor and Council to consider amending the Personnel Policy to permit employees to roll over any unused vacation leave over into their respective sick leave account. City Manager Coleman explained that sick leave can accrue from year to year and that one benefit to having unused sick leave upon retirement is that the balance of sick leave is calculated into additional months of service and that it serves as an incentive to encourage employees not to abuse the existing sick leave policy. City Manager Coleman also advised that if an employee leaves employment prior to vesting in the retirement program, all sick leave is forfeited. Mayor Garner inquired as to the number of sick leave days an employee can accrue per year. Human Resource Director Libby Duke advised that employees accrue twelve (12) sick leave days annually. Councilmember Balega inquired as to the cost of the proposed personnel policy amendment. City Manager Coleman advised that very little cost would be involved to amend the policy as requested.

Motion by Councilmember Maierhofer, seconded by Councilmember Gray to amend the Personnel Policy pertaining to (Vacation/Sick Leave). Motion passed 5-0.

7. Alcoholic Beverage Ordinance (Package Distilled Spirits Package Store License)

City Manager Casey Coleman presented to the Mayor and Council for their consideration and review, the latest edition of proposed changes to the City of Carrollton's Alcoholic Beverage Ordinance. City Manager Coleman noted that the proposed changes to the Ordinance were as follows:

1. Changes in sections 6-6 and 6-167 to permit consumption of alcohol by the drink in outdoor areas of licensed premises (i.e., to address the "sidewalk" issue).
2. Deletion of section 6-39, which limited the maximum number of distilled spirits package store licenses to three.
3. Revision of section 6-56 to allow distilled spirits package stores only in zoning districts C-2, M1 and M-2.
4. Revision of section 6-57 (i.e., proximity restrictions) to make it consistent with state law.
5. Addition of section 6-91, which prohibits "drive-through - sales".

City Manager Coleman noted that if the proposed Alcoholic Beverage Ordinance is adopted as amended, the City should begin accepting applications for "Package Distilled Spirits License" at the start of business on January 3, 2005. City Manager Coleman also advised that applications should be processed by February 7, 2005, to ensure that businesses applying for a license comply with zoning requirements set forth in the Ordinance. At this time Mayor Garner asked if there were any comments regarding the proposed amendment to the Ordinance. An inquiry was made as to the limit of the number of Package Distilled Spirits stores permitted. Mayor Garner responded that the City believes in free enterprise and that licenses would be issued to all individuals meeting the qualifications and requirements set forth in the Ordinance. An additional inquiry was made as to whether there would be a residency requirement to obtain a license. City Manager Coleman responded that there would not be a residency requirement to obtain the license.

Motion by Councilmember Gray, seconded by Councilmember Balega to adopt the Alcoholic Beverage Ordinance as amended. Motion passed 5-0.

8. Appointment: Carrollton Planning Commission (2)

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to reappoint Mr. Bobby McMillian to an additional term on the Planning Commission (term expiring December 31, 2007). Motion passed 5-0.

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to appoint Mr. Dave Reynolds to a term on the Planning Commission (term expiring December 31, 2007) This appointment will replace Mr. Randy Turner who has served two terms and is not eligible to serve an additional term. Motion passed 5-0.

9. Appointment: Historic Preservation Commission (1)

Motion by Councilmember Maierhofer, seconded by Councilmember Gray to appoint Mr. Chris Threadgill to a term on the Historic Preservation Commission to fill the vacancy created when Ronald Burson's term expired May 1, 2004 (term expiring May 1, 2007). Motion passed 5-0.

10. Appointment: Carrollton Redevelopment Authority (4)

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to reappoint Carroll County Commission Chairman Robert Barr to an additional term on the Carrollton Redevelopment Authority (term expiring December 31, 2006). Motion passed 5-0.

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to appoint Michael Seaton to a term on the Carrollton Redevelopment Authority (term expiring December 31, 2007) . Motion passed 5-0.

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to appoint Pope Cleghorn to a term on the Carrollton Redevelopment Authority (term expiring December 31, 2007). Motion passed 5-0.

Motion by Councilmember Maierhofer, seconded by Councilmember Balega to appoint David Sawyer to a term on the Carrollton Redevelopment Authority (term expiring December 31, 2007). Motion passed 5-0.

11. Appointment: Carrollton Area Convention & Visitors Bureau (1)

Motion by Councilmember Maierhofer, seconded by Councilmember Gray to appoint Ms. Jackie Pate to a partial term on the Carrollton Area Convention & Visitors Bureau for the vacancy created when Jane Story resigned from the position. (term expiring June 30, 2005). Motion passed 5-0.

V. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd thanked everyone involved in the opening ceremony for the new West Carrollton Police Precinct.

Councilmember Balega noted that the recent Christmas Parade was wonderful.

Mayor Garner thanked City Manager Coleman and employees involved for their hard work in obtaining reimbursement from GEMA/FEMA of \$150,000 in funds for overtime hours worked during hurricane Ivan. Councilmember Gray thanked the Police Department for their diligent work in solving recent cases. Mayor Garner recognized a local Boy Scout Troup in attendance at the meeting.

VI. CITY MANAGER ANNOUNCEMENTS

City Manager Coleman reminded those in attendance that on January 3, 2005, the City would begin accepting applications for "Package distilled spirits license".

City Manager Coleman advised that City Attorney Chuck Conerly has found the sign at Gold's Gym to be in compliance with all City codes. City Attorney Conerly advised that the sign was inspected by the Chief of Police, the Fire Chief and the Building Official and it was found that the sign does not create an impediment to traffic.

City Manager Coleman advised the Mayor and Council that he has received a request by Councilmember Byrd that the new park on Alabama/MLK be named "Shay Hill Memorial Park", after an eight-year-old child who was murdered in the Carrollton area several years ago.

Motion by Councilmember Gray, seconded by Councilmember Maierhofer to name the new park on Alabama Street/MLK the "Shay Hill Memorial Park". Motion passed 5-0.

VII. CITIZEN COMMENTS

None

VIII. ADJOURN

There being no further business to come before the Mayor and Council, the meeting adjourned at 6:51 p.m.